

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

MICHAEL HILL, et al.,)	CASE NO.
)	
Plaintiffs,)	JUDGE
)	
v.)	
)	
MIDDLEBURG HEIGHTS POLICE DEPARTMENT, et al.,)	NOTICE OF REMOVAL OF CIVIL ACTION
)	
Defendants.)	
)	
)	

**NOTICE OF REMOVAL
PURSUANT TO 28 U.S.C. §§1441, 1446, AND 1331**

Defendant Middleburg Heights (improperly named as “Middleburg Heights Police Department” in the Complaint) by and through undersigned counsel, respectfully petitions this Court, pursuant to 28 U.S.C. §§ 1441, 1446 and 1331 to remove this civil action from the Court of Common Pleas, Cuyahoga County, State of Ohio, to the United States District Court for the Northern District, Eastern Division. Removal to this Court is proper for the reasons set forth below:

1. Middleburg Heights is a Defendant in a civil action pending in the Court of Common Pleas, Cuyahoga County, State of Ohio, entitled *Michael Hill, et al. v. Middleburg Heights Police Department*, Case No. CV 21 943393. The Complaint was filed on January 27, 2021.

2. On or about February 10, 2021, Defendant was served with the Complaint per the court docket attached as Exhibit A. A copy of the Complaint is attached as Exhibit B. This

Notice of Removal is being filed within thirty (30) days from the date of receipt of the Complaint, and is, therefore, timely pursuant to 28 U.S.C. § 1446(b).

3. Plaintiffs are residents of the State of Ohio. The Complaint lists their address as in Strongsville, Ohio, in Cuyahoga County.

4. Middleburg Heights is a municipality in the State of Ohio, Cuyahoga County.

5. The only other Defendant is Berea City School District.

6. Berea is a municipality in the State of Ohio, Cuyahoga County.

7. All Defendants have consented to this Removal.

8. Plaintiffs' Complaint alleges a violation of 42 U.S.C. § 1983.

9. The United States District Court has jurisdiction over this civil action because plaintiff seeks redress for the alleged violation of their Constitutional rights.

10. The United States District Court has jurisdiction over this civil action pursuant to 28 U.S.C. § 1331.

11. A copy of this Notice of Removal has been served on all parties and filed with the appropriate state court pursuant to 28 U.S.C. § 1446(d) and is attached as Exhibit C.

WHEREFORE, Defendant Middleburg Heights hereby removes this action from the Court of Common Pleas, Cuyahoga County, Ohio to this Honorable Court.

Respectfully submitted,

/s/Steven D. Strang

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(improperly sued as “Middleburg Heights Police
Department)*

CERTIFICATE OF SERVICE

I hereby certify that on March 1, 2021, the foregoing was filed electronically. Notice of this filing will be sent by operation of the Court’s electronic filing system to all parties indicated on the electronic filing receipt. All other parties will be served by regular U.S. Mail. Parties may access this filing through the Court’s system. A true and accurate copy has been sent by regular U.S. Mail to the following:

Michael Hill
19892 Royalton Road
Strongsville, Ohio 44149
Pro se Plaintiff

Susan Addleman
19892 Royalton Road
Strongsville, Ohio 44149
Pro se Plaintiff

Berea City School District
390 Fair Street
Berea, Ohio 44017
Defendant

/s/Steven D. Strang
STEVEN D. STRANG (0085444)
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